

**Notice of Allowability**

Application No.

09/833,305

Examiner

Matthew S. Gart

Applicant(s)

KRONENBERGER, ROBERT A.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE (7/10/2007) and Ex. Amend (8/13/2007).
2. ☒ The allowed claim(s) is/are 3-10, 14-20 and 23-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

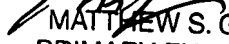
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 8/3/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
MATTHEW S. GART  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Mortimer (Ph. 312-876-1800) on August 3<sup>rd</sup>, 2007.

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The application has been amended as follows:

#### ***In the Title***

The title has been changed to read as follows:

--Method and a computer network server for facilitating sale of an object--

***In the Claims***

3. (Currently amended) A method for facilitating sale to a potential customer of an object over a computer network, said object having a predetermined three-dimensional shape, the method comprising:

over the computer network, providing the potential customer with a display with a plurality of display icons representing different perspective views of a predetermined three-dimensional shape of an object;

over the computer network, providing the potential customer with a user input through which a design element selected by the potential customer is included on said object at a first location on the object;

providing an input for said potential customer through which any of said plurality of display icons is selected; and

over the computer network, and in response to the user inputs, providing the potential customer with different perspective views of the object with the selected design element on the object at the first location represented by the selected display icon,

wherein through said user inputs at least first and second different perspective views of said object with the selected design element displayed thereon at the first location are viewable, with the design element at the first location shown in each of the first and second different perspective views.

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14. (Currently amended) A method for facilitating sale of caps over the Internet, comprising:

over the Internet, providing a user input through which at least one display icon is selected by a user from a plurality of display icons, each of said display icons representing different perspective views of one cap design offered for sale;

over the Internet, providing a user input for selecting a display element to be included on said one cap; and

over the Internet, providing a display illustrating the selected different perspective views of the one cap corresponding to the selected display icons with the display element at a first user selected location on said cap,

wherein said different perspective views of the one cap design include at least two different perspective views of the one cap on which the display element at the same first location on the one cap is viewable on the display, with the display element shown in each of the at least two different perspective views.

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19. (Currently amended) A computer network server for facilitating sale of objects having predetermined three-dimensional shapes, said server comprising:

a display icon generator transmitting selected ones of a plurality of display icons over a computer network, said display icons representing a plurality of objects each having one of the predetermined three-dimensional shapes and a plurality of different perspective views of each of the three-dimensional shapes;

a request generator transmitting, over the computer network, a request for user input to identify a selected display icon and to select a design element to be included on said object at a first location on the object; and

a processor receiving display icon requests and selected design elements over the Internet and generating a visual representation of the user selected design element on the object represented by the selected display icon,

wherein at least two of said different perspective views of each three-dimensional shape include said selected design element at the same first location in the generated visual representation, with the selected design element shown in each of the at least two different perspective views.

### REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

#### ***Regarding Independent Claims 3, 14 and 19***

The prior art of record neither anticipates nor renders obvious a method and a computer network server for facilitating sale to a potential customer of an object over a computer network, wherein at least first and second different perspective views of a object with a selected design element displayed thereon at a first location are viewable, with the design element at the first location shown in each of the first and second different perspective views.

The most remarkable prior art of record is to Costin (U.S. Patent Application No. 2005/0131571) and Berger (U.S. Patent No. 6,414,693).

Costin teaches an Internet based technique of allowing customization of denim apparel over the Internet. The user selects custom features for denim apparel and transmits those features to a computer run by the apparel company. The apparel company displays a facsimile of what the apparel will look like with those custom features. However, Costin only permits a user to view either the front or back of the apparel, whereby the custom feature once placed wouldn't be viewable from different perspective views as required by the claims.

Berger teaches a system and method for customizing bags on a computer-based display. Berger allows end users to view completed bags with desired graphics

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thereon, however Berger does not expressly teach viewing a selected design element shown in each of at least two different perspective views.

None of the prior art of record remedies the deficiencies found in Costin and Berger. Furthermore, neither the prior art, the nature of the problem, nor knowledge of a person having ordinary skill in the art, provide any reasonable rationale to combine prior art teachings.

### **EXAMINER COMMENTS**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/10/2007 has been entered.



### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP02003030276A, Waupotitsch, Roman, January 31, 2003, discloses an interactive try-on platform for eyeglasses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew S. Gart whose telephone number is 571-272-3955. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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